

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 HUGH A BOYD,

5 Petitioner

6 v.

7 KIRSTEN NIELSEN, et al.,

8 Respondents

Case No.: 2:18-cv-01752-JAD-GWF

Order Dismissing Petition

9 Petitioner has filed a habeas petition under 28 U.S.C. § 2241 without properly
10 commencing the action by paying the filing fee or filing an *in forma pauperis* application. LSR
11 1-1 & 1-2. It does not appear that a dismissal without prejudice will cause petitioner substantial
12 prejudice. This improperly commenced action therefore will be dismissed without prejudice.

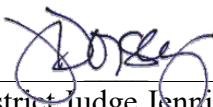
13 Further, as petitioner is challenging his confinement and he is currently confined in
14 Aurora, Colorado, this court would also lack jurisdiction over his petition. Any future petitions
15 should be filed in the district of confinement, which is currently the District of Colorado. *See*
16 *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004).

17 IT THEREFORE IS ORDERED THAT this action is DISMISSED without prejudice.
18 Petitioner must not file any more documents in this case.

19 IT FURTHER IS ORDERED THAT a certificate of appealability is denied because
20 jurists of reason would not find debatable whether this Court was correct to dismiss this action
21 without prejudice on these procedural grounds.

22 The Clerk of Court IS DIRECTED TO SEND petitioner a copy of his papers in this
23 action, along with copies of the forms and instructions for an inmate pauper application and §
24 2241 habeas petition, and to ENTER FINAL JUDGMENT accordingly, dismissing this action
25 without prejudice.

26 Dated: September 11, 2018

27 
28 U.S. District Judge Jennifer A. Dorsey